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11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13 **SAN FRANCISCO DIVISION**

14 MAXIMILIAN KLEIN, et al., on behalf  
15 ofthemselves and all others similarly situated,

16 Plaintiffs,

17 v.

18 META PLATFORMS, INC., a Delaware  
19 Corporation,

20 Defendant.

Case No. 3:20-cv-08570-JD

**DECLARATION OF CATHERINE  
SPEVAK IN SUPPORT OF NON-  
PARTY APPLE'S STATEMENT IN  
SUPPORT OF DEFENDANT META  
PLATFORMS, INC.'S RESPONSE TO  
ADVERTISER PLAINTIFFS' MOTION  
TO CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED (DKT. 837)**

Judge: Hon. James Donato

1 I, Catherine Spevak, do hereby declare as follow:

2 1. I am a Finance Manager at Apple Inc. I have been employed by Apple since  
3 November 2021 and have held my current title since January 2023. Over the course of my  
4 employment at Apple, I have acquired personal knowledge of Apple's practices and procedures  
5 concerning the maintenance of the confidentiality of its strategic, business, and financial  
6 information.

7 2. I respectfully submit this declaration in support of Apple's Statement in Support of  
8 Meta's Response to Advertiser Plaintiffs' Motion to Consider Whether Another Party's Material  
9 Should Be Sealed, which Meta filed on August 26, 2024 in *Klein v. Meta Platforms, Inc.*, Case No.  
10 3:20-cv-08570-JD (N.D. Cal.).

11 3. The facts set forth in this declaration are true and correct to the best of my  
12 knowledge, information, and belief, and are based on my personal knowledge of Apple's policies  
13 and practices as they relate to the treatment of confidential information, materials that were  
14 provided to me and reviewed by me. If called upon as a witness in this action, I could and would  
15 testify from my personal knowledge and knowledge acquired from sources with factual foundation.

16 4. The two contracts for which Apple supports Meta's sealing requests, the Services  
17 Integration Agreement and the Side Letter to that agreement, are maintained as highly confidential.  
18 To the best of my knowledge, neither of these contracts has been publicly disclosed. The  
19 information in these contracts is highly sensitive. Moreover, because these contracts reveal terms  
20 that Apple agreed to with a counterparty, if publicly disclosed, they could prejudice Apple's  
21 competitive position by harming Apple's relationships with business partners, developers, and  
22 advertisers, putting Apple at unfair disadvantage in future business negotiations, and permitting  
23 Apple's competitors to gain an unfair advantage in competition with Apple.

24 5. The text appearing (1) in Advertiser Plaintiffs' Opposition to the Omnibus Sealing  
25 Motion (Dkt. 835 at 3:4-6, between "Apple from" and "Beyond age"), and (2) in Advertiser  
26 Plaintiffs' Motion for Class Certification (Dkt. 795/796 at 8:3-9, between "Meta and Apple" and  
27 "and a July," as well as between "Apple and Meta" and "between the two companies") contains  
28 confidential, non-public information that implicates Apple's confidentiality interests by revealing

1 contractual terms in which Apple has a reasonable expectation of confidentiality. Disclosure of  
2 this non-public information may result in competitive harm to Apple, as it reveals confidential  
3 contract terms, which, as detailed above, could give a competitor or potential business partner  
4 unfair leverage in competing against or negotiating with Apple.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is  
2 true and correct.

3 Executed on August 30, 2024 at San Francisco, California.

4  
5  
6 

7 Catherine Spevak

8  
9 **SIGNATURE ATTESTATION**

10 I, Caroline Van Ness, am the ECF User whose ID and password are being used to file this  
11 document. In compliance with Civil Local Rule 5-1, I hereby attest that all counsel whose e-  
12 signatures (/s/) appear on this document concurred in this filing.

13  
14 DATED: August 30, 2024

By: /s/ Caroline Van Ness